

Remarks

Claims 1 – 72 are pending in the application. Claims 6, 11, 16, 18, 21, 22, 23, 24, 29, 33, 43 and 53 are cancelled. Claims 1-4, 5, 7, 9, 12-15, 17, 19, 20, 25, 26, 28 and 30 are currently amended.

Claims 54 – 63 are newly added but are not limited to the elected gene, while newly added claims 64 – 72 are directed towards the elected group I subject matter for the gene DAZ interacting protein 1 (DZIP1). Should the elected claims be considered allowable, Applicant believes that claims 54 – 63 are properly considered linking claims. No new matter is added.

In response to the Restriction Requirement dated September 26, 2006, Applicant elects Group I and claims drawn to a method of detecting diabetes.

The restriction requirement states that a further election is required if Group I claims are elected of a single combination of “one or more” markers from Table 3G for detection in the claimed methods.

Applicant elects the gene **DAZ interacting protein 1 (DZIP1)**. Claims 1 – 72 are pending in the application. Claims 64 – 72 are newly added and directed towards the elected group I subject matter for the gene DAZ interacting protein 1 (DZIP1).

Support is found through the specification and in the originally filed claims. In particular, support the gene DAZ interacting protein 1 (DZIP1) is noted in Table 3G under the RNA accession number NM_014934 with a p value of 0.013668331and is described in Figure 14, Example 16. No new matter has been added.

A petition for extension of time is attached. However, should any fees be required to ensure consideration of this response, the Commissioner is authorized to charge Deposit Account 04-1105, Reference No. 2055E(204231).

Respectfully submitted,

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